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In re:

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1	Annette W. Jarvis, Utah Bar No. 1649
	Steven C. Strong, Utah Bar No. 6340
2	RAY QUINNEY & NEBEKER P.C.
3	36 South State Street, Suite 1400
	P.O. Box 45385
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7	Lenard E. Schwartzer, Nevada Bar No. 0399
	Jeanette E. McPherson, Nevada Bar No. 5423
8	SCHWARTZER & MCPHERSON LAW FIRM
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9	Las Vegas, Nevada 89146-5308
10	Telephone: (702) 228-7590
	Facsimile: (702) 892-0122
11	E-Mail: <u>bkfilings@s-mlaw.com</u>
12	Attorneys for Debtors
	1100111495 101 2 001015
13	UNITED STATES BA

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

Debtor. In re: USA CAPITAL REALTY ADVISORS, LLC, Debtor. In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Debtor. In re: USA CAPITAL FIRST TRUST DEED FUND, LLC, Debtor. In re: USA SECURITIES, LLC, Debtor. Affects: ☐ All Debtors ☐ USA Commercial Mortgage Company ☐ USA Securities, LLC ☑ USA Capital Realty Advisors, LLC ☐ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

USA COMMERCIAL MORTGAGE COMPANY,

Case No. BK-S-06-10725 LBR Case No. BK-S-06-10726 LBR Case No. BK-S-06-10727 LBR Case No. BK-S-06-10728 LBR Case No. BK-S-06-10729 LBR

**E-FILED ON AUGUST 13, 2008** 

Chapter 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

NOTICE OF HEARING OF USA CAPITAL REALTY ADVISORS, LLC'S MOTION TO CLOSE CASE AND REQUEST FOR FINAL **DECREE** 

(Affects USA Capital Realty Advisors, LLC)

Hearing Date: September 8, 2008

Hearing Time: 9:30 a.m.

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PLEASE TAKE NOTICE that USA Capital Realty Advisors, LLC ("USA Realty"), by and through its counsel, has filed a Motion to Close Case and Request for Final Decree ("Motion"). This Motion respectfully requests that the Court grant this Motion and enter a Final Decree in its case, designated as Case No. 06-10726. USA Realty also requests that the Court grant such other and further relief as is just and proper.

Any Opposition must be filed pursuant to Local Rule 9014(d)(1).

Local Rule 9014(d)(1): "Oppositions to a motion must be filed and service must be completed on the movant no later than fifteen (15) days after the motion is served except as provided by LR 3007(b) and LR 9006. If the hearing has been set on less than fifteen (15) days' notice, the opposition must be filed no later than five (5) business days before the hearing, unless the court orders otherwise. The opposition must set forth all relevant facts and any relevant legal authority. An opposition must be supported by affidavits or declarations that conform to the provisions of subsection (c) of this rule."

If you object to the relief requested, you must file a WRITTEN response to this pleading with the court. You must also serve your written response on the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- The court may refuse to allow you to speak at the scheduled hearing; and
- The court may *rule against you* without formally calling the matter at the hearing.

A copy of the Motion may be obtained by accessing BMC Group, Inc.'s website at www.bmcgroup.com/usacmc, by accessing PACER through the United States Bankruptcy Court website for Nevada at www.nvb.uscourts.gov, by contacting BMC Group at telephone: (888) 909-0100, or by contacting the office of the Debtor's counsel, Schwartzer & McPherson Law Firm, telephone: (702) 228-7590 or fax: (702) 892-0122.

NOTICE IS FURTHER GIVEN that the hearing on the Motion may be continued without further notice.

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NOTICE IS FURTHER GIVEN that the hearing on the Motion will be held before a United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard South, 3<sup>rd</sup> Floor, Las Vegas, Nevada on **September 8, 2008 at 9:30 a.m.** 

Respectfully submitted this 13th day of August, 2008.

Lenard E. Schwartzer, Nevada Bar No. 0399 Jeanette E. McPherson, Nevada Bar No. 5423 SCHWARTZER & MCPHERSON LAW FIRM 2850 South Jones Boulevard, Suite 1 Las Vegas, Nevada 89146

and

Annette W. Jarvis, Utah Bar No. 1649 Steven C. Strong, Utah Bar No. 6340 RAY QUINNEY & NEBEKER P.C. 36 South State Street, Suite 1400 P.O. Box 45385 Salt Lake City, Utah 84145-0385